

RESOLUTION NO. 16-57
MEETING DATE: 02-03-16

**RESOLUTION AUTHORIZING THE HOLDING OF AN EXECUTIVE SESSION, AT
WHICH THE PUBLIC SHALL BE EXCLUDED**

C/Kuczinski offered the following Resolution and moved its adoption, which was second by **C/Dorfman**.

WHEREAS, N.J.S.A. 10:4-13 of the Open Public Meetings Act permits the exclusion of the public from meetings of public bodies in certain circumstances which are set forth in N.J.S.A. 10:4-12(b); and

WHEREAS, the Township Committee of the Township of Millstone is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone as follows:

1. The public shall be excluded for the discussion of any action upon the here in after specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - Contracts
 - Items falling Under Attorney/Client Privilege

It is anticipated at this time that the above stated subject matter will be made public in approximately six months or at such time as any litigation discussed is resolved.

3. This Resolution shall take effect immediately.

ROLL CALL:

AYES: C/Dorfman, C/Grbelja, C/Kuczinski, M/Kinsey
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone on February 3, 2016.

Maria Dellasala, RMC
Municipal Clerk

**RESOLUTION NO. 16-58
MEETING DATE: 02-03-16**

RESOLUTION TO TRANSFER FUNDS ON APPROPRIATION RESERVES #2

C/Dorfman offered the following Resolution and moved its adoption, which was seconded by C/Grbelja.

WHEREAS, N.J.S.A. 40A:4-59 provides for the transfer of appropriation reserves within the first three months of the current fiscal year when it shall become necessary to expend for any purpose specified in the Budget an amount in excess of the respective sums appropriated therefore; and when there shall be an excess in one or more appropriation reserves over and above the amount deemed to be necessary to fulfill the purpose of such appropriations; transfer the amount of such excess to an appropriation reserve deemed to be insufficient to fulfill its purpose; and

WHEREAS, this condition now exists.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone in the County of Monmouth that the following transfer of 2015 appropriation reserves be and the same are hereby authorized and the Chief Financial Officer be and hereby is directed to make said transfers on the records:

<u>CURRENT ACCOUNT</u>		<u>FROM</u>	<u>TO</u>
Engineering	OE	\$5,000	
Municipal Court	OE	15	
Legal	OE		\$5,000
Municipal Court	SW		15
TOTAL		\$5,015	\$5,015

An explanation of the transfers is as follows:

To transfer available money to pay two outstanding items.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to the Chief Financial Officer and the Treasurer.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Grbelja, M/Kinsey
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting on February 3, 2016.

Maria Dellasala, RMC
Municipal Clerk

RESOLUTION NO. 16-59
MEETING DATE: 02-03-16

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR
EARL SMITH, SITE PLAN NO. P04-50 (BLOCK 30, LOT 5)**

C/Dorfman offered the following Resolution and moved its adoption which was second by **C/Grbelja**.

WHEREAS, the Developer for Site Plan No. P04-50 (Earl Smith), located on Perrineville Road, has requested a release of its performance guarantees previously posted with the Township of Millstone in accordance with its previously received Planning Board approvals; and

WHEREAS, the Township Engineer has, in a letter dated January 15, 2016 (attached hereto as Exhibit "A") recommended that the following performance guarantees be released:

Bond: First Indemnity of America Insurance Company, No. FP0016106,
dated October 8, 2010 in the amount of \$151,200.00.

Cash Bond Deposit – Posted in Cash - \$16,800.00.

WHEREAS, the balance of the Engineering Inspection Fee is to remain on account through the maintenance period; and

WHEREAS, The release of the above performance guarantees is conditioned upon the posting of a Maintenance Bond or cash for a duration of two years, or a Maintenance Letter of Credit for a duration of two and one-half years, in the amount of \$21,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Millstone as follows:

1. It hereby authorizes the release of the performance guarantees set forth in the Township Engineer's letter dated January 15, 2016, subject to the conditions set forth above.
2. The Township Clerk, Township Treasurer and all other appropriate municipal officials are hereby authorized to execute such documents and to perform such acts as are necessary to effectuate the purpose of this Resolution.
3. Pursuant to the recommendation of the Township Engineer as set forth in the letter referred to above, the Township hereby accepts the public improvements, if any, to be accepted by the Township of Millstone pursuant to the Planning Board approval.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy be forwarded to each of the following:

- (a) Township Engineer
- (b) Township Treasurer
- (c) Developer
- (d) Township Attorney

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Grbelja, M/Kinsey
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of February 3, 2016.

Maria Dellasala
Municipal Clerk

RESOLUTION NO: 16-60
MEETING DATE: 02-03-16

STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM - ENABLING RESOLUTION

C/Grbelja offered the following Resolution and moved its adoption which was second by **C/Dorfman**.

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Millstone has previously obtained a loan of \$0 and/or a grant of \$4,525,000.00 from the State to fund the following project(s):

#1333-00-020 / Millstone Township Planning Incentive Project Evergreen

WHEREAS, the State and Township of Millstone intend to increase Green Acres funding by \$550,000.00 ; and

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED BY THE Governing Body of the Township of Millstone **THAT:**

1. The Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Millstone Township Planning Incentive Project Evergreen, and; [Note: Please authorize only one official to sign the project agreement on behalf of the local government or nonprofit.]
2. The applicant has its matching share of the project, if a match is required, in the amount of \$5,075,000.00.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Grbelja, M/Kinsey
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

CERTIFICATION

I, Maria Dellasala, Municipal Clerk do hereby certify that the foregoing is a true copy of a resolution adopted by Millstone Township Committee at a meeting held on the 3rd. day of February, 2016.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 3rd. day of February, 2016.

Maria Dellasala, RMC
Municipal Clerk

**RESOLUTION NO. 16-61
MEETING DATE: 02-03-16**

**RESOLUTION AWARDING A CONTRACT FOR THE 2015 ROADWAY
IMPROVEMENT PROGRAM**

C/Dorfman offered the following Resolution and moved its adoption which was second by **C/Grbelja**.

WHEREAS, on Thursday, January 21, 2016 the Township Engineer accepted bids for the 2015 Roadway Improvement Program; and

WHEREAS, the following bids were received:

Meco, Inc.	\$624,275.34
Earle Asphalt Company	\$688,313.13
Lucas Brothers, Inc.	\$731,731.00
Lucas Construction Group	\$744,514.50
Vision Construction Group, Inc.	\$799,096.40
Black Rock Enterprises, Inc.	\$811,312.88
JTG Construction	\$829,076.00
S. Brothers	\$839,361.10
Jads Construction Co., Inc.	\$844,445.50
Esposito Construction	\$891,464.50
Stavola Contracting, Co. Inc.	\$959,107.70
L&L Paving Company, Inc.	\$1,007,571.50; and

WHEREAS, the Township Engineer has recommended awarding the Contract to Meco, Inc. in the amount of \$624,275.34, subject to the availability of funds.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone hereby awards a Contract to Meco, Inc. for the 2015 Roadway Improvement Program in the total amount of \$624,275.34 subject to the Department of Transportation Commissioner's approval.

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to Meco, Inc. and to the unsuccessful bidders together with a return of their bid security.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Grbelja, M/Kinsey
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of February 3, 2016.

Maria Dellasala, RMC
Municipal Clerk

**RESOLUTION NO. 16-62
MEETING DATE: 02-03-16**

**RESOLUTION EXTENDING CONTRACT FOR TURF FERTILIZATION AND
CHEMICAL PROGRAM SCHEDULE FOR WAGNER FARM, ROCKY BROOK,
ABATE PARK; 5 ACRE MILLSTONE PARK AT LEE FARM; BRANDYWINE PARK;
VETERANS MEMORIAL; MUNICIPAL BUILDING; MUNICIPAL COURT HOUSE;
COMMUNITY CENTER AND CLARKSBURG METHODIST EPISCOPAL CHURCH
(BASE BID ONLY) FOR 2016**

C/Dorfman offered the following Resolution and moved its adoption which was second
by **C/Grbelja**.

WHEREAS, by Resolution No. 15-81, adopted March 18, 2015 the Township of Millstone awarded a contract to Clintar Landscape Management Services for the turf fertilization and chemical program schedule for Wagner Farm, Rocky Brook, Abate Park, 5 Acre Millstone Park at Lee Farm, Brandywine Park, Veterans Memorial, Municipal Building, Municipal Court House, Community Center and Clarksburg Methodist Episcopal Church (Base Bid only); and

WHEREAS, the bid specification upon which the contract was based, as well as Resolution No. 15-81 contained a provision wherein the Township of Millstone had the option to extend said contract for a second year for the amount set forth in the bid.

WHEREAS, the Township's Chief Financial Officer has certified to the Township Clerk that funds are available in the following account: 6-01-28-375-166, upon the adoption of the 2016 budget.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Millstone hereby extends the contract for the turf fertilization and chemical program schedule for Wagner Farm, Rocky Brook, Abate Park, 5 Acre Millstone Park at Lee Farm, Brandywine Park, Veterans Memorial, Municipal Building, Municipal Court House, Community Center and Clarksburg Methodist Episcopal Church (Base Bid only) between the Township of Millstone and Clintar Landscape Management Services until December 31, 2016 for \$23,399.00.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Grbelja, M/Kinsey
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee of the Township of Millstone at its meeting of February 3, 2016.

Maria Dellasala, RMC
Municipal Clerk

**RESOLUTION NO. 16-63
MEETING DATE 02-03-16**

**RESOLUTION TO ADOPT TEMPORARY EMERGENCY
APPROPRIATIONS #1**

C/Dorfman offered the following Resolution and moved its adoption, which was second by C/Grbelja.

WHEREAS, N.J.S.A. 40A: 4-20 provides that an addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which the appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

WHEREAS, the total emergency temporary resolutions adopted in the year 2016 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total **\$100,000.00**.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Millstone, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations in the 2016 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

BE IT FURTHER RESOLVED that one certified copy of this resolution be filed with the Director of Local Government Services and one certified copy with the Chief Financial Officer.

<u>DEPARTMENT</u>	<u>S&W</u>	<u>OE</u>
Streets & Roads	<u>\$25,000</u>	<u>\$75,000</u>
	\$25,000	\$75,000
TOTAL		\$100,000

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Grbelja, M/Kinsey
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone at its regular meeting held on February 3, 2016.

Maria Dellasala, RMC
Municipal Clerk

**RESOLUTION NO. 16-64
MEETING DATE: 02-03-16**

**RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION
TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN MILLSTONE TOWNSHIP**

C/Dorfman offered the following Resolution and moved its adoption which was second by **C/Grbelja**.

WHEREAS, The Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate within the county; and

WHEREAS, the County has instituted and Intergrated Pest Management Program consisting of surveillance, water management, biological control and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area" the County is required, pursuant to Federal Aviation Administration Regulation (FAR part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Township of Millstone is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW THEREFORE, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquito constituting either a nuisance, a health hazard or both with the understanding that;
 - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the Federal (USEPA) and State (NJDEP) agencies, and
 - b. Such operations will be performed in compliance with applicable Federal and State regulations, and
 - c. The County will notify the police department/state police of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Grbelja, M/Kinsey
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of February 3, 2016.

Maria Dellasala, RMC
Municipal Clerk

RESOLUTION NO. 16-65

SCHEDULE 16-02 S

CONSOLIDATED BILL LIST

TOWNSHIP OF MILLSTONE VOUCHERS FOR PAYMENT PRESENTED TO
THE TOWNSHIP COMMITTEE AT A MEETING
HELD ON February 3, 2016

SEE SCHEDULE 16-02 ATTACHED

A resolution was passed by the Township Committee for the payment of the vouchers listed on Schedule 16-02 attached.

Robert J. Kinsey, Mayor

Michael Kuczinski, Deputy Mayor

Nancy Grbelja, Committeewoman

Fiore Masci, Committeeman

Gary Dorfinan, Committeeman

Attest: _____
Maria Dellasala
Municipal Clerk

TOWNSHIP OF MILLSTONE

RESOLUTION NO. 16-65

February 3, 2016

BE IT RESOLVED by the Township Committee of the Township of Millstone that the vouchers listed on Schedule 16-02, February 3, 2016, Consolidated Bill List, and the vouchers listed below as Schedule 16-02 S, Supplement to Consolidated Bill List, as presented by the Township Treasurer, Amanda Salerno, to be paid from existing appropriations.

CURRENT FUND

TOTAL CURRENT FUND: \$ 6,945,849.36

SCHEDULE 16-02 S

PAYROLL FUND

TOTAL PAYROLL TRUST FUND \$ 5,042.53

GENERAL CAPITAL FUND

TOTAL GENERAL CAPITAL FUND \$ 16,250.00

GRANT FUND

TOTAL GRANT FUND \$ 864.92

BASIN MAINTENANCE TRUST

TOTAL BASIN MAINTENANCE TRUST \$ 525.00

RESERVE TRUST FUND

TOTAL RESERVE TRUST FUND \$ 2,403.70

TRUST OTHER

TOTAL TRUST OTHER FUND \$ 1,050.00

SHADE TREE TRUST

TOTAL SHADE TREE TRUST \$ 0.00

COAH TRUST FUND

TOTAL COAH TRUST FUND \$ 41,871.43

OPEN SPACE FARMLAND TRUST FUND

TOTAL OPEN SPACE FARMLAND TRUST FUND \$ 38,293.19

MUNICIPAL DRUG ALLIANCE FUND

TOTAL MUNICIPAL DRUG ALLIANCE FUND \$ 0.00

VETERAN'S MEMORIAL TRUST FUND

TOTAL VET MEMORIAL TRUST FUND \$ 0.00

RECREATION TRUST FUND (DEDICATION BY RIDER)

TOTAL RECREATION TRUST FUND \$ 0.00

ANIMAL CONTROL TRUST FUND

TOTAL DOG TRUST FUND \$ 202.00

TOTAL FOR ALL FUNDS \$ 7,052,352.13

ESCROW

DEVELOPERS ESCROW ACCOUNT UNDER \$5,000 BOA

TOTAL DEVELOPERS ESCROW UNDER \$5,000 \$ 6,632.00

DEVELOPERS ESCROW ACCOUNT OVER \$5,000 BOA

TOTAL DEVELOPERS ESCROW OVER \$5,000 \$ 5,851.30

TOTAL FOR ESCROW BANK OF AMERICA \$ 12,483.30

RESOLUTION WAS OFFERED BY COMMITTEEPERSON
AND MOVED ITS ADOPTION;
MOTION WAS SECOND BY COMMITTEEPERSON
RESOLUTION WAS ADOPTED ON THE FOLLOWING ROLL CALL VOTES:

AYES:

NAYS:

ABSTAIN:

ABSENT:

RESOLUTION NO. 16-66
MEETING DATE: 02-03-16

**RESOLUTION AUTHORIZING PURCHASE OF DIESEL FUEL FROM THE
MILLSTONE TOWNSHIP BOARD OF EDUCATION**

C/Dorfman offered the following Resolution and moved its adoption, which was second by **C/Grbelja**:

WHEREAS, the Department of Public Works Coordinator has advised that the Diesel Fuel Pump broke down in November 2015 and wishes to purchase diesel fuel from the Millstone Township Board of Education until our Fuel Pump is fixed; and

WHEREAS, The Millstone Township Board of Education will charge the Township of Millstone the price that it pays for the diesel fuel; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee that the purchase of Diesel Fuel from the Millstone Township Board of Education is authorized.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Grbelja, M/Kinsey
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Township Committee of the Township of Millstone at its regular meeting held on February 3, 2016.

Maria Dellasala, RMC
Municipal Clerk

**RESOLUTION NO. 16-67
MEETING DATE: 02-03-16**

**RESOLUTION AMENDING RESOLUTION NO. 15-193,
WHICH AWARDED CONTRACT FOR THE SALT MIXTURE
AND SPECIAL ROCK SALT MIXTURE
AS PER MONMOUTH COUNTY CONTRACT F-41-2016**

C/Dorfman offered the following Resolution and moved its adoption which was second by **C/Grbelja**.

WHEREAS, the Township Committee of the Township of Millstone wishes to award contract for Salt Mixture and Special Rock Salt Mixture, from an authorized vendor under the Monmouth County Cooperative Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Contracts Law, 40A: 11-12; and

WHEREAS, Morton Salt, Inc. is under the Monmouth County Cooperative Program No. F-41-2016 effective January 1, 2016 for furnishing and delivery of Granular Sodium Chloride treated with Liquid Magnesium Chloride and Sodium Chloride (Rock Salt) effective through December 31, 2017; and

WHEREAS, the Purchasing Agent recommends the utilization of this contract on the grounds that they can provide the quality of product at the most reasonable price; and

WHEREAS, the cost for the additional purchase is not to exceed \$50,000.00; and

WHEREAS, the Chief Financial Officer has certified the availability of additional funds for this contract are available in the following account: 6-01-26-290-178, upon the adoption of the 2016 budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee that the award for furnishing and delivery of Granular Sodium Chloride treated with Liquid Magnesium Chloride and Sodium Chloride (Rock Salt) under Monmouth County Cooperative Program No. F-41-2016 be and is ratified.

ROLL CALL:

AYES: C/Kuczinski, C/Dorfman, C/Grbelja, M/Kinsey
NAYS: None
ABSTAIN: None
ABSENT: C/Masci

I HEREBY CERTIFY the foregoing to be a true copy of the Resolution adopted by the Millstone Township Committee at its meeting of February 3, 2016.

Maria Dellasala, RMC
Municipal Clerk